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Attorneys For Defendant
SAMANTHA FEIN

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE

| | | |
|--|---|-----------------------------------|
| THOMAS VAN ZANDT, |) | Case No.: C07-04987 JF (RS) |
| |) | |
| Plaintiff, |) | STIPULATION AND [PROPOSED] |
| |) | ORDER CONTINUING TRIAL AND |
| vs. |) | SETTING NEW PRETRIAL DATES |
| |) | |
| CITY OF SAN JOSE, DANIEL PFEIFER, |) | |
| MARK NATIVIDAD, ANTHONY WEIR, |) | |
| OFFICER HIGGINS, individually and as |) | |
| employees of the CITY OF SAN JOSE, |) | |
| TARGET STORES, INC., WESTFIELD LLC, |) | |
| PROFESSIONAL SECURITY |) | |
| CONSULTANTS, and DOES 1-10, inclusive, |) | |
| |) | |
| Defendants. |) | |

The parties hereto, by and through their undersigned counsel, request that the trial in this action and all related pretrial deadlines be continued. The reason for the continuance is that Defendant Samantha Fein recently suffered a major injury in a ski accident requiring surgery and a significant recovery period. As a result of this injury, Ms. Fein is unavailable for deposition prior to the time dispositive motions are due to be filed under the current case schedule (April 21, 2009).

The parties respectfully request that the Court vacate the July 24, 2009 trial date and all related pretrial deadlines, and order a new trial and pretrial schedule as follows:

- July 27, 2009 - fact discovery cut off

- August 17, 2009 - dispositive motions must be filed
- September 14, 2009 - expert disclosures due
- October 5, 2009 - expert discovery cut off
- Pretrial conference - October 23, 2009 at 11:00 a.m.
- Trial - November 13, 2009, at 1:30 p.m.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.


Dated: April 3, 2009

HAAPALA, THOMPSON & ABERN, LLP

By: /s/ Rebecca S. Widen
Rebecca S. Widen
Attorneys For Defendant
SAMANTHA FEIN

Dated: April 3, 2009

LAW OFFICES OF ROBERT R. POWELL

By: 
Robert R. Powell
Attorneys For Plaintiff

Dated: April 3, 2009

RICHARD DOYLE
CITY ATTORNEY

By: _____
Michael R. Groves, Senior Deputy City Attorney
Attorneys For Defendants
CITY OF SAN JOSE, OFFICER DANIEL
PFEIFER, OFFICER MARK NATIVIDAD,
OFFICER ANTHONY WEIR, and OFFICER
HIGGINS

Dated: April 3, 2009

MANNING & MARDER
KASS, ELLROD, RAMIREZ LLP

By: _____
Sejal Ojha
Attorneys For Defendants
PROFESSIONAL SECURITY CONSULTANTS,
DANIEL GARCIA and RYAN SCOTT

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By: /s/ Rebecca S. Widen
Rebecca S. Widen
Attorneys For Defendant
SAMANTHA FEIN

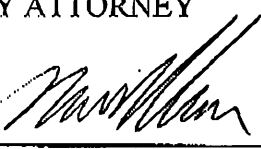
Dated: April 3, 2009

LAW OFFICES OF ROBERT R. POWELL

By: Robert R. Powell
Robert R. Powell
Attorneys For Plaintiff

Dated: April 3, 2009

RICHARD DOYLE
CITY ATTORNEY

By: 
Michael R. Groves, Senior Deputy City Attorney
Attorneys For Defendants
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PFEIFER, OFFICER MARK NATIVIDAD,
OFFICER ANTHONY WEIR, and OFFICER
HIGGINS

Dated: April 3, 2009

MANNING & MARDER
KASS, ELLROD, RAMIREZ LLP

By: Sejal Ojha
Sejal Ojha
Attorneys For Defendants
PROFESSIONAL SECURITY CONSULTANTS,
DANIEL GARCIA and RYAN SCOTT

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Defendant Samantha Fein recently suffered a major injury in a ski accident requiring surgery and a significant recovery period. As a result of this injury, Ms. Fein is unavailable for deposition prior to the time dispositive motions are due to be filed under the current case schedule (April 21, 2009).

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Dated: April 3, 2009

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By: /s/ Rebecca S. Widen
Rebecca S. Widen

Attorneys For Defendant

SAMANTHA FEIN

Dated: April 3, 2009

LAW OFFICES OF ROBERT R. POWELL

By: _____
Robert R. Powell
Attorneys For Plaintiff

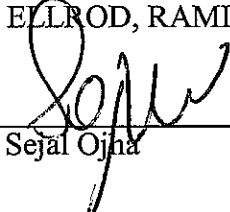
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PFEIFER, OFFICER MARK NATIVIDAD,
OFFICER ANTHONY WEIR, and OFFICER
HIGGINS

Dated: April 3, 2009

MANNING & MARDER
KASS, ELLROD, RAMIREZ LLP

By: 
Sejal Ojha

ORDER

Pursuant to stipulation and for good cause shown, IT IS SO ORDERED.

Dated: 4/9/09



Honorable Jeremy Fogel
United States Judge

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